

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Offense charged:

Conspiracy to Distribute Methamphetamine and Heroin, Distribution of Heroin,  
Distribution of Methamphetamine

Date of Detention Hearing: Initial Appearance April 14, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

DETENTION ORDER  
18 U.S.C. § 3142(i)  
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Rev. 1/91

01           FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02           (1)     Defendant and a co-defendant have been indicted for knowingly and intentionally  
03 conspiring to distribute 50 grams or more of actual methamphetamine and 100 grams or more of  
04 a mixture of substance containing a detectable amount of heroin, and for distributing  
05 methamphetamine and heroin. The maximum penalty is in excess of ten years. There is therefore  
06 a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18  
07 U.S.C. §3142(e).

08           (2)     Defendant's criminal record includes prior narcotics offenses. He was on  
09 supervision with the Washington State Department of Corrections when arrested for this offense.  
10 His co-defendant is a fugitive.

11           (3)     Defendant is a native of Mexico and is reported to be in the United States illegally.  
12 He was not interviewed by pretrial services. Limited background information is available.

13           (4)     An immigration detainer was filed. Based on this, the defendant does not contest  
14 detention.

15           (5)     Defendant poses a risk of nonappearance due to the immigration detainer, his status  
16 on state supervision, and unknown background information. He poses a risk of danger due to the  
17 nature of the charges and his criminal history.

18           (6)     There does not appear to be any condition or combination of conditions that will  
19 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
20 to other persons or the community.

21 It is therefore ORDERED:

22           (1)     Defendant shall be detained pending trial and committed to the custody of the

01 Attorney General for confinement in a correction facility separate, to the extent  
02 practicable, from persons awaiting or serving sentences or being held in custody  
03 pending appeal;

04 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
05 counsel;

06 (3) On order of a court of the United States or on request of an attorney for the  
07 Government, the person in charge of the corrections facility in which defendant is  
08 confined shall deliver the defendant to a United States Marshal for the purpose of  
09 an appearance in connection with a court proceeding; and

10 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
11 counsel for the defendant, to the United States Marshal, and to the United States  
12 Pretrial Services Officer.

13 DATED this 14th day of April, 2006.

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16 Mary Alice Theiler  
17 United States Magistrate Judge  
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